

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARNOLD V. HENRY,

Plaintiff,

Case No. 24-cv-10595

Honorable Linda V. Parker

v.

PARR-MIRZA, B. SCHASCHKO,
ANGELA JOSEPH, and JOHN DOE,

Defendants.

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE’S REPORT
AND RECOMMENDATION (ECF NO. 52) AND DENYING DEFENDANT
SCHASCHKO’S MOTION FOR SUMMARY JUDGMENT (ECF NO. 43)**

Plaintiff Arnold V. Henry commenced this lawsuit against Defendants on March 8, 2024. (ECF No. 1.) The matter has been assigned to Magistrate Judge David R. Grand for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 16.)

On February 3, 2025, Defendant B. Schaschko filed a motion for summary judgment on exhaustion grounds, (ECF No. 43), which has been fully briefed (ECF Nos. 50, 51.) On May 21, 2025, Magistrate Judge Grand issued a Report and Recommendation (“R&R”), recommending that the motion be denied. (ECF No.

52.) Magistrate Judge Grand finds that Henry directly named Schaschko in the relevant administrative grievance and, that there are material issues of fact as to whether the grievance was ever untimely filed. (*Id.* at PageID.529-33.)

At the conclusion of the R&R, Magistrate Judge Grand advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at PageID.534.) He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Grand. The Court therefore adopts the R&R.

Accordingly,

IT IS ORDERED that Defendant Schaschko’s motion for summary judgment (ECF No. 43) is **DENIED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: June 11, 2025

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, June 11, 2025, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager